

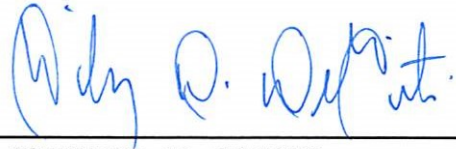
Prime Equip. Co., 451 F.3d 1196, 1204 (10th Cir. 2006). Considered under this standard, and for good cause shown, Plaintiff's Motion is **GRANTED**.

Having granted the Motion, the pending motion to dismiss [Doc. No. 10] the original pleading is moot. *See, e.g., Essex Ins. Co. v. Sheppard & Sons Constr., Inc.*, No. CIV-12-1022-D, 2015 WL 11752917, at *10 n.16 (W.D. Okla. July 9, 2015) (referencing an earlier order that denied "[a defendant's] motion to dismiss as moot due to filing of amended complaint which supersedes original complaint and renders it of no legal effect"); *Strich v. United States*, No. 09-cv-01913-RBJ-KLM, 2010 WL 148269, at *1 (D. Colo. Jan. 11, 2010) ("The filing of an amended complaint moots a motion to dismiss directed at the complaint that is supplanted and superseded."); *AJB Props., Ltd. v. Zarda Bar-B-Q of Lenexa, LLC*, No. 09-2021-JWL, 2009 WL 1140185, at *1 (D. Kan. Apr. 28, 2009) (finding that an amended complaint superseded an original complaint and "accordingly, defendant's motion to dismiss the original complaint [was] denied as moot"); *accord Baca v. Quick Bail Bond & Tax Serv.*, No. CV 18-16 JCG/GBH, 2018 WL 3862744, at *1 (D.N.M. Aug. 14, 2018).

IT IS THEREFORE ORDERED that Plaintiff's Motion to Amend [Doc. No. 18] is **GRANTED**. Plaintiff shall file an Amended Complaint within fourteen (14) days of this Order.

IT IS FURTHER ORDERED that Defendant's Motion to Dismiss [Doc. No. 10] and the first Motion to Amend [Doc. No. 8] are **DENIED AS MOOT**.

IT IS SO ORDERED this 11th day of March, 2021.



TIMOTHY D. DeGIUSTI
Chief United States District Judge